

(f) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of Central Intelligence, shall prescribe regulations to carry out this section.

**SA 4845.** Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 4738 proposed by Mr. GRAMM (for himself, Mr. MILLER, Mr. MCCONNELL, Mr. THOMPSON, Mr. STEVENS, Mr. HAGEL, Mr. HUTCHINSON, and Mr. BUNNING) to the amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

On page 220 of the amendment, after the item inserted by line 15, insert the following:

**SEC. 1124. PILOT PROGRAM.**

(a) ESTABLISHMENT OF PILOT PROGRAM.—The Commissioner of Immigration and Naturalization shall establish a pilot program of cooperation between inspectors of the Immigration and Naturalization Service and State and local law enforcement officials that uses video conferencing—

(1) to evaluate the legal status of aliens in the custody of State and local law enforcement; and

(2) to initiate deportation proceedings under the Immigration and Nationality Act where warranted.

(b) IMPLEMENTATION.—The pilot program described in subsection (a) shall include at least ten States. States selected to participate should be those with the largest number of violations of the Immigration and Nationality Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2003 to 2007 to carry out this section.

**SA 4846.** Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 4738 proposed by Mr. GRAMM (for himself, Mr. MILLER, Mr. MCCONNELL, Mr. THOMPSON, Mr. STEVENS, Mr. HAGEL, Mr. HUTCHINSON, and Mr. BUNNING) to the amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

On page 220 of the amendment, after the item inserted by line 15, insert the following:

**SEC. 1124. TAKING CUSTODY OF ILLEGAL ALIENS DETAINED BY STATE OR LOCAL LAW ENFORCEMENT OFFICIALS.**

(a) IN GENERAL.—Chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), as amended by this Act, is further amended by inserting after section 236B the following new section:

**“SEC. 236C. TAKING CUSTODY OF ILLEGAL ALIENS DETAINED BY STATE OR LOCAL LAW ENFORCEMENT OFFICIALS.**

“(a) IN GENERAL.—Whenever a State or local law enforcement official detains an individual with reasonable belief that the individual is removable from the United States under section 237 and immediately notifies the Service of such detention, the Commissioner shall, within 48 hours of that notification—

“(1) inform the State or local law enforcement official in writing that the individual is not unlawfully present in the United

States and does not pose a danger to the public; or

“(2) take physical custody of the individual from the State or local law enforcement official.

“(b) TRANSPORTATION.—If the Service fails to comply with subsection (a) within 48 hours of notification, the Commissioner shall—

“(1) accept custody of the individual at the nearest regional office of the Service; and

“(2) promptly reimburse the State or local law enforcement official for the cost of transporting the individual to the regional office by public or private means.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary \$1,000,000 for each of the fiscal years 2003 through 2007 to carry out section 236C of the Immigration and Nationality Act, as added by subsection (a).

(2) AVAILABILITY OF APPROPRIATIONS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

(c) CONFORMING AMENDMENT.—The table of content for the Immigration and Nationality Act is amended by inserting after the item relating to section 236B the following new item:

“Sec. 236C. Taking custody of aliens detained by State or local law enforcement officials.”.

#### BUSINESS OF THE SENATE

Mr. REID. Mr. President, we have had another unproductive day. As you know, we are starting the fifth week on homeland security and the Interior appropriations bill. As I said a few weeks ago, it appears the other side does not want us to pass these two bills, and they are accomplishing what they set out to do. We are not doing the work of the country.

As the Presiding Officer knows, we have lost 2 million jobs in the last 18 months. We have had the weakest economic growth in some 50 years. Business investment has been down in each of the last six quarters, the weakest trend in 50 years. There has been a \$4.5 trillion loss in stock market wealth, the sharpest decline since President Hoover—\$440 billion lost in 401(k) and IRA retirement savings this past year—and the median family income was down last year, the first decrease in 12 years. The Nasdaq stock exchange was down to its lowest level in 6 years. Of course, it dropped again today. The Dow Jones dropped again today. The poverty rate is up for the first time in 10 years.

We have a lot of problems with the economy, and we are not addressing them. We are focused on Iraq. I have no problem focusing on Iraq, but we can focus on more than one issue, and we have not done that. I do not think that is good for the people of the State I represent, the people the Presiding Officer represents, or anyplace else in the country.

I hope we can change direction from what we are doing now.

#### A FOND FAREWELL

Mr. REID. Mr. President, I came to the Congress 10 years ago. One of the

people with whom I came was BOB TORRICELLI. He and I have been friends for 20 years now. I didn't know him before he and I were elected to the House of Representatives. Today, he announced he was not going to continue in his election, and I feel terrible about it. It shows the class he has. I talked to Senator TORRICELLI this afternoon. He recognizes the Senate seat in New Jersey is more important than him. As a result of that, he knows it would be better for the institution, the Senate, that he not continue in his election contest.

For me, the memories of having served with this fine man are very significant. The work he did first as the assistant to Senator BOB KERRY's campaign committee and then as chairman of the campaign committee will be written in the history books. He did the impossible. He did what only he said could be done. Most of us did not believe he could do what he did, and that is elect all the Democrats he was responsible for because he made us competitive. He was a voracious fundraiser.

I extend my best wishes to BOB TORRICELLI. I congratulate him for the 20 years of service to the State of New Jersey and the country as a Member of the U.S. Congress. I do hope his great talents will be used. He is a fine speaker. He has a great mind. His knowledge of foreign affairs is unsurpassed.

He and I served together on that committee in the House of Representatives. I wish I had words to describe the affection I have for Senator TORRICELLI and the expression I would like to make of the courage he showed this afternoon.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 107-17

Mr. REID. Mr. President, I ask unanimous consent the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 30, 2002, by the President of the United States:

Partial Revision of Radio Regulations (Treaty Document No. 107-17).

I further ask the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The President's message is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the 1992 Partial Revision of the Radio Regulations (Geneva, 1979), with appendices, signed by the United States at Malaga-Torremolinos on March 3, 1992 (the “1992 Partial Revision”), together with declarations and reservations of the

United States as contained in the Final Acts of the World Administrative Radio Conference for Dealing with Frequency Allocations in Certain Parts of the Spectrum (WARC-92). I transmit also, for the information of the Senate, the report of the Department of State concerning these revisions.

The 1992 Partial Revision, which was adopted at WARC-92, constitutes a revision of the International Telecommunication Union (ITU) Radio Regulations (Geneva, 1979), as revised, to which the United States is a party. It provides for additional spectrum for new or expanding telecommunication services, primarily terrestrial and satellite broadcasting, terrestrial and satellite mobile and space services and is consistent with the proposals and positions taken by the United States at the conference.

Subject to the U.S. declarations and reservations mentioned above, I believe that the United States should become a party to the 1992 Partial Revision, which provides additional spectrum for existing and new telecommunication services in which the United States plays a significant leadership role. It is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

GEORGE W. BUSH.  
THE WHITE HOUSE, September 30, 2002.

#### EXECUTIVE SESSION

#### NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to executive session and the Commerce Committee filing of nomination No. 1047 and the nominations placed on the Secretary's desk be vitiated; that the Committee be discharged from further consideration of these nominations; that the nominations be confirmed, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action; that any statements relating thereto be printed in the RECORD; and that the Senate resume legislative session, with the preceding occurring without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed as follows:

#### COAST GUARD

The following named officer for appointment to the grade indicated under Title 14, U.S.C., Section 271 and to serve as the Director of the Coast Guard Reserve pursuant to Title 14, U.S.C. Section 53:

PN2194 Coast Guard nominations (2) beginning Kurt J. Colella, and ending Lucretia Flammang, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 24, 2002.

PN2195 Coast Guard nominations (120) beginning Alan N. Arsenault, and ending Matthew J. Zamary, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 24, 2002.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### DEATH OF REPRESENTATIVE PATSY T. MINK OF HAWAII

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of S. Res. 331 submitted earlier today by the majority and the Republican leaders.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 331) relative to the death of Representative Patsy T. Mink of Hawaii.

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to and the motion to reconsider laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 331) was agreed to, as follows:

#### S. RES. 331

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Patsy T. Mink, late a Representative from the State of Hawaii.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the deceased Representative.

#### NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. REID. I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 325 and the Senate now proceed to that matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 325) designating the month of September as "National Prostate Cancer Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution and preamble be agreed to, the motion to reconsider be laid on the table, and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 325) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas over 1,000,000 American families live with prostate cancer;

Whereas 1 American man in 6 will be diagnosed with prostate cancer in his lifetime;

Whereas over the past decade prostate cancer has been the most commonly diagnosed nonskin cancer and the second most common cancer killer of American men;

Whereas 189,000 American men will be diagnosed with prostate cancer and 30,200 American men will die of prostate cancer in 2002, according to American Cancer Society estimates;

Whereas fully  $\frac{1}{4}$  of new cases of prostate cancer occur in men during their prime working years;

Whereas African-Americans have the highest incidence and mortality rates of prostate cancer in the world;

Whereas screening by both digit rectal examination and prostate-specific antigen blood test (PSA) can diagnose the disease in earlier and more treatable stages and has reduced prostate cancer mortality;

Whereas the research pipeline promises further improvements in prostate cancer prevention, early detection, and treatments; and

Whereas educating Americans, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting our families: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of September 2002 as "National Prostate Cancer Awareness Month";

(2) declares that the Federal Government has a responsibility—

(A) to raise awareness about the importance of screening methods and treatment of prostate cancer;

(B) to increase research funding that is commensurate with the burden of the disease so that the causes of, and improved methods for screening, treating, and curing prostate cancer may be discovered; and

(C) to continue to consider ways for improving access to, and the quality of, health care services for detecting and treating prostate cancer; and

(D) requests the President to issue a proclamation calling upon the people of the United States, interested groups, and affected persons to promote awareness of prostate cancer, to take an active role in the fight to end the devastating effects of prostate cancer on individuals, their families, and the economy, and to observe the month of September 2002 with appropriate ceremonies and activities.

#### ORDERS FOR TUESDAY, OCTOBER 1, 2002

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow morning, Tuesday, October 1st; that following the prayer and pledge, the morning hour be deemed expired, the Journal of Proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 11 a.m., with Senators permitted to speak for up to 10 minutes each, with the first half of the time under the control of the Republican leader or his designee, and the second half of the time under the control of Senator DASCHLE or his designee; that at 11 a.m. the Senate resume consideration of the Homeland Security Act with 1 hour of debate equally divided between the two leaders or their designees, prior to a 12